

AFFIDAVIT OF SERVICE

STATE OF NEW YORK )  
                              ).ss.:  
COUNTY OF NEW YORK)

CHRISTOPHER RODRIGUEZ, being duly sworn says:

I am not a party to the within action, am over 18 years of age, with an address at 159 South 2nd Street, Brooklyn, New York.

On July 10, 2007, I served a true copy of the within NOTICE OF MOTION TO DISMISS THE COMPLAINT, AFFIDAVIT IN SUPPORT, and MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS COMPLAINT by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

FRANCESCO DI PIETRO (FD 6383)  
WUERSCH & GERING, LLP  
100 Wall Street, 21<sup>st</sup> Fl.  
New York, NY 10005  
212-509-4716

  
Christopher Rodriguez

Sworn to before me this  
10 day of July, 2007

Notary Public

DEBORAH MOORE  
Notary Public, State of New York  
No. 01MO4816549  
Qualified in New York County  
Commission Expires October 31, 2006  
2010